

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

<u>DANA-FARBER CANCER INSTITUTE,</u>)	
<u>INC. a/k/a THE JIMMY FUND</u>)	
)	
Plaintiff,)	
)	
v.)	
)	
BOC GROUP, INC. d/b/a BOC GASES)	
)	Case No.: 04-CV-12612-RWZ
Defendant/Third-Party Plaintiff/)	
Defendant-in-Counterclaim,)	
)	
v.)	
)	
TAYLOR-WHARTON, HARSCO)	
CORPORATION, GAS & FLUID)	
CONTROL GROUP)	
)	
Third-Party Defendant,)	
)	
and)	
)	
PACER DIGITAL SYSTEMS INC.)	
)	
Third-Party Defendant/)	
Plaintiff-in-Counterclaim.)	

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties hereby stipulate, pursuant to Fed. R. Civ. P. Rule 41(a)(1)(ii), that all claims in this action, including all third-party claims and counter-claims, are hereby dismissed, with prejudice, without interest, with all parties to bear their own fees and costs, and with all rights of appeal being hereby waived.

Respectfully submitted,

Plaintiff,
DANA-FARBER CANCER INSTITUTE,
INC., A/K/A THE JIMMY FUND,
By its attorneys,



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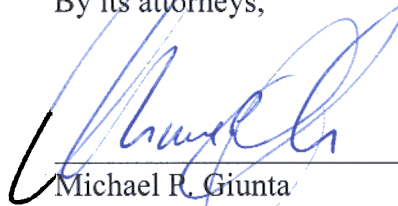
and

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Dated: December 27, 2006

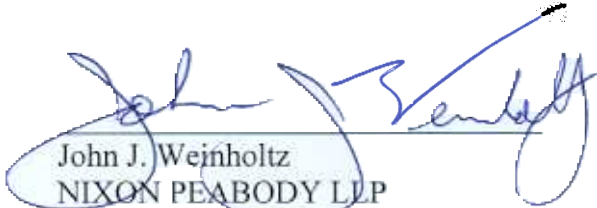
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Defendant/Third-Party Plaintiff/
Defendant-in-Counterclaim,
BOC GROUP, INC. D/B/A
BOC GASES
By its attorneys,



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Third-Party Defendant,
TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP
and
Third-Party Defendant/Plaintiff-in-
Counterclaim,
PACER DIGITAL SYSTEMS, INC.
By their attorney,



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